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*prima facie* lack of enablement. For this reason, applicant respectfully requests that the rejection be withdrawn.

Claims 1-21, 28-30, 34, 36, and 37 were rejected under 35 U.S.C. §112, first paragraph, for lack of enablement. The examiner argues that the specification fails to enable all of the Group VIII metals. Respectfully, the rejection does not establish that there is insufficient disclosure in the specification to practice using all of the Group VIII metals without undue experimentation. Indeed, since the specification teaches (see paragraph 31) that Group VIII metals, such as rhodium, ruthenium, palladium, iridium, osmium, or platinum, can be used in the intermediate layer 44, there appears to be no basis for concluding that undue experimentation would be required to use the Group VIII metals in the intermediate layer. For these reasons, the rejection should be withdrawn.

Claims 1-21, 28-30, 34, 36, and 37 were rejected under 35 U.S.C. §112, first paragraph, as including new matter. The examiner argues that the reaction between the third layer and the second intermediate substance is not supported in the specification. Respectfully, applicant disagrees because the specification includes at least one example (see paragraphs 32 and 37) illustrating that the intermediate layer oxidizes contaminants to produce carbon dioxide and that the inner layer oxidizes carbon dioxide. Therefore, in at least one example, the inner layer would oxidize the carbon dioxide produced from the intermediate layer. For this reason, the claims do not include new matter, and applicant respectfully requests that the rejection be withdrawn.

Claims 22 and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kobayashi in view of Reisfeld. In response to applicant's previous argument that the rejection lacked motivation, the examiner argues that incorporation of the photocatalytic system of Kobayashi into the system of Reisfeld would provide "enhancement of the photocatalytic oxidation of organic compounds in the air stream" of Reisfeld. Thus, the examiner appears to argue that the system of Kobayashi would somehow be better (i.e., enhanced) than the system already used in Reisfeld. However, the rejection does not explain why one would expect to enhance the system of Reisfeld by making the proposed combination. Since Reisfeld already includes a catalytic system (see page 1, paragraph 20; page 2, paragraph 21) for oxidizing contaminants, there would seem to be no need to incorporate the photocatalytic system of Kobayashi. Further, there is no evidence that the photocatalytic system of Kobayashi would be any better than the photocatalytic system already used in Reisfeld to warrant substituting the

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system of Kobayashi into Reisfeld. Therefore, merely stating that the proposed modification would somehow enhance Reisfeld is insufficient to maintain *prima facie* obviousness. For this reason, the rejection is improper and should be withdrawn.

Claims 24-27, 32, and 33 were rejected under 35 U.S.C. §103 as being unpatentable over Reisfeld in view of Kobayashi. In response to applicant's previous argument that the rejection does not provide any motivation for selecting the recited coating compositions, the examiner argues that the motivation would be "enhancing the photocatalytic oxidation of organic compounds in the air stream" of Reisfeld. However, since the cited references do not specifically disclose the claimed coating compositions and claimed arrangement, the benefit of the claimed compositions and arrangement is only known through applicant's disclosure. The rejection does not provide any motivation for selecting the claimed coating compositions and arrangement that would be known outside of applicant's disclosure. For this reason, the stated motivation is insufficient to maintain *prima facie* obviousness, and applicant respectfully requests that the rejection be withdrawn.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 03-0835 in the name of Carrier Corporation for any additional fees or credit the account for any overpayment.

Respectfully submitted,




Matthew L. Koziarz, Reg. No. 53,154  
Carlson, Gaskey & Olds  
400 W. Maple Road, Ste. 350  
Birmingham, MI 48009  
(248) 988-8360

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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (571) 273-8300, on July 16, 2007.



Laura Combs